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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/606,593 | 06/26/2003 | Takeshi Ikari | 7217/69505 | 5047 |

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EXAMINER

WRIGHT, INGRID D

ART UNIT PAPER NUMBER

2835

DATE MAILED: 03/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/606,593

Applicant(s)

TAKESHI ET AL.



Examiner

Ingrid Wright

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— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 June 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

OBJECTIONS

On page 3 of the Amendments to the Claims, there is an error in the first statement to amend claims. The statement to amend claims 1-5, should read to amend claims 1-3, as there are only 3 claims disclosed for this device.

Specification

Rejections

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shiozaki et al. (US 6781634 B1).

With respect to claim 1, Shiozaki et al. teaches an electronic device having a battery storage container (28), a recording medium storing part (22) and plurality of circuit boards (71-75). The recording medium storing part (22) and the circuit boards (71-75) surround most of the outside of the battery storage container (28). Shiozaki et al. fails to surround the outside except at the opening. It would have been obvious to one of ordinary skill in the art to place circuit boards at any location around the battery

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storage container based upon the space available and size of the device. Where a part of a device may be relocated without modification to the operation of the device, such a relocation is considered to have been within the skill of the art. In re Japikse, 86 USPQ 70 (1950).

With respect to claim 2, circuit board (71) comprises an image display unit.

With respect to claim 3, the shape of the battery storage container (28) of the device appears to have 5 planar sides (front, back, left, right, bottom and one curved side (top) - see attachment). The recording medium storing part (22) is located on the left side of the battery storage container (28) perpendicular to the front face, which includes the opening. Circuit boards are additionally disposed on the bottom, left and top sides of the battery storage container (28). It is noted that while each individual face of the battery storing container (28) does not have a specific board associated with it, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to place the boards on any face or in any location due to the space available within the device. Where a part of a device may be relocated without modification to the operation of the device, such a relocation is considered to have been within the skill of the art. In re Japikse, 86 USPQ 70 (1950). It further would have been obvious for all of the sides of the battery storage container to be planar of any shape necessary to fit within the device.

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The prior art made of record and not relied upon is considered pertinent to the applicant's disclosure. Yasuda et al. and show the general state of the art regarding digital cameras.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ingrid Wright whose telephone number is (571) 272-8392. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Feild can be reached on (571) 272-2800, ext 35. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

IDW


LISA LEA-EDMONDS
PRIMARY EXAMINER